

**United States Bankruptcy Court
for the
Western District of Oklahoma**

GUIDE TO FILING REQUIREMENTS



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A GUIDE TO FILING REQUIREMENTS

PREFACE

As a service to the public, the United States Bankruptcy Court for the Western District of Oklahoma has compiled this Guide to assist in the processing of pleadings, bankruptcy cases and adversary proceedings. Under no circumstances should this Guide be used as a substitute for the applicable state, federal and/or local rules which govern this Court.

Please read the Guide carefully. Should you have any questions, you may call or appear in person at the Clerk's Office.

28 U.S.C. § 955 prohibits the staff of the Clerk's office from giving legal advice. The Clerk's office may assist you in understanding bankruptcy documents but are prohibited from preparing the documents for you. Your local library has law books and access to the internet that may be of assistance to you. The Local Bankruptcy Rules for the Western District of Oklahoma, instructions, forms and information on the various chapters in bankruptcy are available on the Court's website.

The Court's office hours are:

Monday through Friday from 8:30 a.m. to 4:30 p.m., excluding holidays.

For emergency filings, a drop box is available after hours from 4:30 p.m. to 6:00 p.m. Drop box filings should be placed in an envelope prior to placing in the drop box. Cash should not be left in the drop box at any time. If a file-stamped return copy is requested, a self-addressed, stamped envelope, of appropriate size with sufficient postage must accompany all petitions, motions, applications, notices, proof of claim forms and requests received by mail.

All pleadings and documents filed must caption the bankruptcy (and the adversary if applicable) case name, number, chapter and judge and must contain original signatures and the complete address, telephone number and bar roll number of the attorney. ([See Appendix](#))

Orders must be filed as separate pleadings and must be properly captioned.

Discharge in all chapters for individuals is predicated on full payment of all current and back child support obligations.

Discharge in all chapters for individuals is predicated on the completion of a Financial Management Course, as approved by the U. S. Trustee. A Debtor's Education Certification must be filed prior to discharge.

The time period for receiving an order of discharge in a chapter 7 case is now eight years.

GENERAL INFORMATION

NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a Bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

1. Services Available from Credit Counseling Agencies With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. **In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk has a list of approved financial management instructional courses.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors:

Chapter 7: Liquidation (\$220 filing fee, a \$39 administrative fee, \$15 trustee surcharge: Total fee \$274)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a “means test” designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and uses the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay non-dischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$150 filing fee, \$39 administrative fee: Total fee \$189)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

INFORMATION ABOUT FILING A BANKRUPTCY CASE

The law governing bankruptcy cases and the rights of debtors and creditors in bankruptcy cases are title 11 of the United States Code, 11 U.S.C. § 101, et seq., usually referred to as the “Bankruptcy Code.” The current law was enacted in 1978 and has been amended several times since. Important provisions governing the jurisdiction and operation of the bankruptcy courts and the administration of a bankruptcy debtor’s property (the “bankruptcy estate”) are located in title 28 of the United States Code. (28 U.S.C. § ____.) Federal criminal laws relating to the conduct of parties and officials acting in bankruptcy cases are located in title 18, United States Code. (18 U.S.C. § ____.)

In addition, the procedural aspects of a bankruptcy case, including many important time limits, are governed by the Federal Rules of Bankruptcy Procedure (referred to as the "Bankruptcy Rules" or "Fed. R. Bankr. P."). Most courts have local rules that must be observed by any party involved in a bankruptcy case in that court (usually referred to as “L.R. ____”).

Most forms are Official Forms, but some may be Procedural Forms. The requirements for filing various forms derive from the Bankruptcy Code, primarily sections 301, 302, and 521(1) (11 U.S.C. §§ 301, 302, 521(1)), and the Bankruptcy Rules, most importantly Rules 1002, 1005, 1007, 1008, and 3002. Bankruptcy Rule 9009 mandates the use of the Official Forms and authorizes the Judicial Conference of the United States to prescribe them. Rule 9009 also authorizes the Director of the Administrative Office to issue additional (procedural) forms for use in bankruptcy cases.

Filing a bankruptcy case is a complex undertaking. Anyone contemplating such a step should consult an attorney. If the extensive documents required in a bankruptcy case are not completed properly, or if further steps in the bankruptcy process are not taken on time, a debtor can lose property or other important rights unnecessarily.

General information on chapters 7, 11, 12, and 13 of the Bankruptcy Code and definitions of bankruptcy terminology are available in the form of a Public Information Series, comprised of a series of fact sheets on these topics. Anyone may obtain the Public Information Series from the Administrative Office of the United States Courts, Bankruptcy Judges Division, One Columbus Circle, N. E., Washington, D.C. 20544. The fact sheets have been combined in the publication “Bankruptcy Basics,” which is available at the federal judiciary’s Internet website, www.uscourts.gov

An individual, of course, has the right to file a bankruptcy case without employing an attorney. Before doing so, the debtor should read a “self-help” book on filing bankruptcy or other reference materials, which are available in many libraries and bookstores. Many public libraries have reference sections containing copies of the Bankruptcy Code, Bankruptcy Rules, state laws, and additional books that can help explain them. A debtor should make sure to read only a CURRENT edition of the Bankruptcy Code and the Bankruptcy Rules, as both the Bankruptcy Code and the Bankruptcy Rules are amended frequently. The instructions in this Manual are necessarily brief and general. They should not be used as a substitute for reference to the applicable laws and rules but only as a supplement to them. The debtor should read all instructions thoroughly before beginning to fill out any forms. Extra copies of each form should be made to use as worksheets. A worksheet should be completed for each form. After the debtor has completed and reviewed each worksheet and is satisfied that the forms have been completed correctly, the debtor should transfer the information from each worksheet to a clean blank form. The completed forms should be set aside for

signing and filing.

NOTE: CORPORATIONS AND PARTNERSHIPS MUST BE REPRESENTED BY AN ATTORNEY WHEN FILING FOR BANKRUPTCY.

ALL THE BLANK SPACES AND LINES ON EACH FORM should be completed. Some forms (Schedules E, F, G, and H, and the Statement of Financial Affairs) contain boxes for a debtor to use to state that the debtor has nothing to report or a question does not apply. On all other forms, a debtor should either insert "N/A" or "None" in response to any question or request for information that is not applicable or should cross out a printed statement that does not apply and initial the cross-out.

IT IS VERY IMPORTANT THAT THE DEBTOR SIGN ALL DOCUMENTS IN ALL THE REQUIRED PLACES. If a married couple files a joint case, both spouses must sign in all required places. If the debtor is represented by an attorney, the attorney must sign most documents. See Fed. R. Bankr. P. 9011. Any bankruptcy petition preparer also must sign in the spaces provided.

THE OFFICIAL FORMS OF THE PETITIONS, SCHEDULES, AND STATEMENT OF FINANCIAL AFFAIRS (FORMS 1, 5, 6, AND 7) ARE TO BE PRINTED ON ONE SIDE OF THE PAPER ONLY. Compliance with these standards will facilitate both the securing of the papers in the case file and review of the file by the public.

PROTECTING YOUR SOCIAL SECURITY NUMBER. In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents and pleadings filed with the court, including exhibits thereto, unless otherwise ordered by the Court or required by statute, the Federal Rules of Bankruptcy Procedure or the Official Bankruptcy Forms.

- ! **Social Security numbers.** If an individual's Social Security number must be included in a pleading, only the last four digits of the number should be used.
- ! **Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used. On Schedule I of the Official Bankruptcy Form 6, list relationship and age of the debtor's dependents (i.e., son, age 6).
- ! **Dates of birth.** If an individual's date of birth must be included in a pleading, only the year should be used. On Schedule I of Official Bankruptcy Form 6, list age of each of the debtor's dependents.
- ! **Financial account numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used. On Schedules D, E, and F of Official Bankruptcy Form 6, debtors, if they so choose, may include their full account numbers to assist the trustee and creditors.
- ! The petition, **Official Form 1**, will contain only the last four digits of individual

debtors' Social Security numbers.

- ! Amendments to Rule 1007 require debtors to submit a verified statement containing the full nine-digit Social Security number. (**Official Form B21**). This document will be maintained by the clerk, but it will not be a part of the official court file and will not be made a part of the public record.
- ! Rule 2002 will be amended to require the clerk to include the debtor's full Social Security number in the copy of the Section 341 meeting of creditors notice. Official Form 9 is sent to creditors, the debtor, the United States trustee or bankruptcy administrator. The copy of the Section 341 notice included in the court case file, however, will contain only the last four digits of the Social Security number.
- ! Official Form 16A, the full caption, will be amended to include only the last four digits of any debtor's Social Security number. Accordingly, subsequent notices (after the Section 341 notice) will either include the last four digits or none, if Official Form 16B, the short caption, is used.
- ! Filers ---- ***not the clerk*** ---- are responsible for redacting Social Security numbers and other personal identifiers such as dates of birth, financial account numbers, and names of minor children in documents they file with the court.
- ! The court will use the full Social Security number in its computer system, but users of the system outside the Court will be able to see only the last four digits of the Social Security number. Users will be able to input and search on all nine digits of the Social Security number, but all screens will display only the last four digits.
- ! Bankruptcy petition preparers are still required to disclose the entire Social Security number of the individuals who prepares the document. Notation is made "(Required by 11 U.S.C. Sec. [110\(c\)](#))."
- ! **Notice is further given that the clerk is not responsible for the redaction of Social Security numbers or other personal data identifiers from documents filed with the court. This responsibility rests completely with the filer of the document. Accordingly, the United States Trustee, case and standing trustees and attorneys practicing in this court should review notices, reports and other materials prepared by their offices, which will become part of the official case file, to ensure that personal identifiers no longer required are not included in such submissions. Documents filed with the court will not be returned for redaction and will become part of the public record.**

ADVERSARY PROCEEDINGS

1. An Adversary Proceeding is commenced by the filing of a Complaint. Its purpose is to settle disputes and questions of law that may arise during the administration of the bankruptcy estate. Adversary Proceedings are assigned Adversary Proceeding numbers different and separate from the Bankruptcy case number. An Adversary Proceeding is assigned to the same judge assigned to the Bankruptcy Petition. All pleadings and documents filed in an adversary proceeding should bear the adversary caption with both the bankruptcy and adversary case numbers. [For filing fees \(See Appendix I\).](#)
2. All Adversary cases must have an Adversary Procedure Cover Sheet (Official Form B104). Instructions are on the back of the form.

CONSOLIDATION OF CASES

- 1 Consolidation involves the joining of two or more cases for purposes of combining the assets and liabilities of separate estates into a single pool to pay creditors. Once cases have been consolidated, they are treated as one case for all purposes. Therefore, a single docket sheet and single claims register would be maintained. [For filing fees \(See Appendix I\).](#)

CONSUMER CREDIT COUNSELING

1. An individual may not be a debtor unless such individual had, during the 180-day period preceding the date of filing of the petition by such individual, received from an approved nonprofit budget and credit counseling agency an individual or group opportunities for available credit counseling and assisted such individual in performing a related budget analysis.
2. The Bankruptcy Court Clerk will maintain a list of names of approved nonprofit budget and credit counseling agencies in the Western District of Oklahoma on the Courts web site at www.okwb.uscourts.gov and at 215 Dean A. McGee Ave, Oklahoma City, Oklahoma. This list may also be obtained at The United States Trustee's website www.usdoj.gov/ust/ (11 U.S.C. § 111)

CONVERSION of CASES

1. CONVERSIONS REQUIRING MOTION AND ORDER:

1. Conversion from chapter 7 to chapters 11, 12, or 13, if by the debtor, must be made by motion and order.
2. Conversion from chapter 7 to chapter 11, if by a party in interest, must be made by motion and order.
3. Conversion from chapter 11 to chapter 7, if by a debtor, must be made by motion and order.
4. Conversion from chapter 11 to chapter 7, if by a party in interest or the U.S. Trustee, must be made by motion and order.
5. Conversion from chapter 11 to chapter 12 or 13, if by debtor, must be made by motion and order.
6. Conversion from chapter 12 to chapter 7, if by a party in interest, must be made by motion and order.
7. Conversion from chapter 13 to chapter 7, if by a party in interest, must be made by motion and order.
8. Conversion from chapter 13 to chapters 11 or 12 must be made by motion and order.
10. [For filing fees \(See Appendix I\).](#)

II. CONVERSIONS REQUIRING NOTICE:

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1. Conversion from chapter 12 to chapter 7, if by debtor, may be made by notice.
 2. Conversion from chapter 13 to chapter 7, if by debtor, may be made by notice.
 3. [For filing fees \(See Appendix I\).](#)

III. CONVERSION/DISCHARGE ISSUES

1. Instead of dismissing a chapter 7 case, the Court may, with the debtor's consent, convert the case to a chapter 11 or 13 case. In making this determination, the Court may examine whether a presumption of abuse exists.
2. Provisions similar to the means test will be used.
3. The Court may order the debtor to reimburse the trustee for all reasonable costs in prosecuting a motion to convert, including reasonable attorney's fees.
4. The Court may assess a penalty against a debtor's attorney for violating Rule 9011.
5. The Court may award reasonable costs to a debtor who prevails on a motion to convert.

DECONSOLIDATION OF JOINT DEBTORS PRIOR TO CONVERSION

1. It sometimes occurs that a husband and wife originally file a joint petition in one chapter. Subsequently one or the other, but not both, wishes to convert to a different chapter. Pursuant to Local Rule 1015, a joint case filed pursuant to 11 U.S.C. § 302, shall be deconsolidated prior to conversion of the case to another chapter for one of the joint debtors. Requests for deconsolidation shall be made by motion, filed and served pursuant to Rules 9007 and 9013. Deconsolidation shall be effective only upon both the entry of an order and the payment of any applicable fees. (See Appendix i)

FINANCIAL MANAGEMENT INSTRUCTIONAL COURSES

1. A completion of a Financial Management Course, as approved by the U. S. Trustee, must be completed during the pendency of the bankruptcy.
2. A Debtor's Education Certification must be filed prior to discharge. The Debtor and Joint Debtor, if any, must each file the declaration.
3. The Bankruptcy Court Clerk will maintain a list of approved Financial Management Courses available in the Western District of Oklahoma, as approved by the United States Trustee, on the Courts web site at www.okwb.uscourts.gov and at 215 Dean A. McGee Ave, Oklahoma City, Oklahoma. This list may also be obtained at The United States Trustee's website at www.ust.uscourts.gov.

FORMS

Copies of all required forms can be obtained on the United States Bankruptcy Court for the Western District of Oklahoma web site at www.okwb.uscourts.gov. Forms are also available at www.uscourts.gov/bkforms/index.

Use the forms for the new Bankruptcy Reform Act 2005.

JOINT PETITION

1. Only one filing fee is required to be paid in a case commenced by a joint petition.
2. Official Form B21 is required to be submitted at the time of filing the petition.
3. Only an individual and that individual's spouse may file a joint petition. (11 U.S.C. § 302(a).)
4. If a debtor files a petition as an individual and the spouse of that debtor subsequently decides to seek relief in bankruptcy, there is no authority under which the original filing may be either amended or converted retroactively to a joint filing. The spouse must file a

separate petition and pay a second filing fee in full. The commencement of the initial case constitutes an order for relief as of the date of filing. To permit a spouse to later join the original petition could adversely affect the rights of parties in interest in the spouse's estate. Please note, however, that the court may order the joint administration of the two separately docketed cases, if that procedure is deemed to be advisable. (Fed. R. Bankr. R1009)

OTHER BANKRUPTCY LAW CHANGES

1. Certain retirement accounts are now exempt from bankruptcy.
2. Household goods are specified.
3. The valuation of real property, including burial plots, is modified. Homestead exemptions are limited.
4. The total amount of "luxury goods," goods or services not reasonable necessary for the support and maintenance of the debtor or a dependent of the debtor, that may be discharged in bankruptcy is \$ 500.00.
5. Certain educational loans are not dischargeable.
6. Loans made against a pension, profit-sharing, stock bonus, or other specified plans are not dischargeable.
7. A discharge does not operate as an "injunction" against commencing or continuing actions to recover debts, whether or not the discharge is waived, if:
 - a. The creditor retains a security interest in the real property/residence of the debtor;
 - b. The act is in the ordinary course of business between debtor and creditor;
 - c. The action is limited to seeking periodic payments associated with a valid security interest
8. Discharge may be postponed when, after notice and hearing held not more than 10 days before the date of the entry of discharge, any proceeding is pending in which the individual debtor may be found guilty of a specified felony.
9. The Court must convert cases when requested by a real party in interest unless the request to convert is not made in the best interests of the creditors and the estate. The hearing on the motion to convert shall commence not later than 30 days after filing of the motion, unless the movant agrees to a continuance.

PENALTIES

1. Bankruptcy petition preparer—fines and sanctions for violations of the law or for giving legal advice.
2. Budget or Credit Counseling agency—for revealing that a person has received counseling
3. Debtor—inclusion of materially false, fictitious, or fraudulent information in the petition may result in dismissal of the petition. The Court, on motion of the debtor, shall seal the records relating to the petition and all references to the petition.
4. Debtor—failure to provide tax returns to the trustee and requesting creditor results in dismissal of case unless debtor demonstrates that the failure to comply was beyond the control of the debtor.

5. Debtor—(voluntary individual, not business, chapter 7 or 13) failure to file any all required information within 45 days of filing the petition results in dismissal of the case on the 46th day (May be extended for 45 additional days by court order.) The Court may also upon motion of the trustee filed before the expiration of the applicable time period decline to dismiss the case if the Court finds the debtor attempted in good faith to file all required information and that the best interests of the creditors would be served by declining to dismiss
6. Debtor—if debtor fails to file the required return or to obtain an extension within 90 days after a request is filed by the taxing authority, the Court shall convert or dismiss the case, whichever is in the best interests of the creditors
7. Debtor—chapter 13 case will be dismissed or converted to chapter 7 if chapter 13 debtor fails to comply with time frame for submission of tax returns
8. Debtor’s Counsel—reimbursement to trustee for legal fees in prosecuting a dismissal or conversion motion if the Court finds that counsel’s filing under chapter 7 was in violation of certain bankruptcy rules
9. Debt relief agency—for failing to comply with provisions of the bankruptcy laws, failing to file necessary or required paperwork, disregarding the material requirements of the law or the federal bankruptcy rules
10. Creditor—for violation of stay for failure to comply with § § 542 and 543 if the creditor’s conduct occurs after receipt of notice of the order for relief (at preferred address)
11. Creditor—on the motion of the debtor and after hearing, the Court may reduce an unsecured consumer claim based in whole or part on an unsecured consumer debt by not more than 20% if the claim is filed by a creditor who unreasonably refused to negotiate a reasonable alternative repayment schedule.

REAFFIRMATIONS

1. Specific language must be included in the reaffirmation agreement. (**Official form B240**)
2. If the debtor was represented by an attorney at the time of reaffirmation, the agreement is effective when filed with the Court. Language for the Court order approving the reaffirmation agreement is specified: “The court grants the debtor’s motion and approves the reaffirmation agreement described above.”

HARDSHIP REAFFIRMATIONS

1. Until 60 days after an agreement is filed with the Court, a reaffirmation agreement is presumed to be a “hardship reaffirmation” if the debtor’s monthly income, less the debtor’s monthly expenses as shown on completed and signed statement in support of the agreement, is less than the scheduled payments on the reaffirmed debt.
2. The presumption of hardship shall be reviewed by the Court.
3. The presumption may be rebutted in writing by the debtor if the statement includes an explanation that identifies additional sources of funds to make the payments as agreed under the terms of the reaffirmation.

4. If the presumption is not satisfactorily rebutted, the Court may disapprove the hardship reaffirmation, following notice to the debtor and creditor and a hearing on the issue. The hearing must be conducted prior to the entry of the debtor's discharge.
5. The hardship reaffirmation provisions do not apply where the creditor is a credit union.

REOPENING OF CASES

1. When a motion to reopen a case under the Bankruptcy Code is filed, the filing fee prescribed by 28 U.S.C. § 1930(a) must be collected unless the reopening is to correct an administrative error or to file adversary proceedings to determine dischargeability of a debt. Fed. R. Bankr. Pro. 4007(b). The reopening fee to be charged is the same as the filing fee in effect for commencing a new case on the date of reopening. Trustees are subject to the fee unless the fee is waived or deferred. Neither the \$39.00 administrative fee nor the \$15.00 trustee surcharge fee is collected.
2. For filing fees (See Appendix I).

STAY PROVISIONS

1. The following actions are not stayed:
 - a. Civil actions
 - b. Paternity actions
 - c. Domestic support actions
 - d. Child visitation or custody actions
 - e. Divorce and property division actions
 - f. Domestic violence actions
 - g. Pension and retirement accounts
 - h. Actions to enforce a lien against or security interest in real property
 - I. Set-off of income tax refunds
 - j. If a single or joint case is filed by or against a debtor who is an individual and if two or more single or joint cases of the debtor were pending within the previous year but were dismissed, other than a case refilled under section 707(b)
2. The stay is shortened to 30 days if:
 - a. A single or joint case is filed by or against an individual debtor in a chapter 7, 11, or 13 case and if a single or joint case of the debtor was pending within the preceding one year period but was dismissed, other than a case re-filed under a chapter other than chapter 7 after dismissal under § 707(b)
 - b. The stay may be extended upon motion of a party in interest and an order of a judge as to any and all creditors if the party in interest demonstrates that the filing is in good faith
3. As to secured personal property or an unexpired lease for personal property in a chapter 7 case, the stay is terminated if the debtor is an individual who fails to timely file a statement of intention, to redeem, or to reaffirm the debt on the personal property within 45 days after the first meeting of creditors, unless otherwise ordered by the Court.
4. The stay terminates on the date that is 60 days after a request is made by a party in interest unless the Court sets another date for termination of the stay.

5. On request of a party in interest, the Court shall enter an order stating that the automatic stay has been terminated.
6. As to rent obligations, the debtor must indicate on the bankruptcy petition that an order of eviction has been obtained by the Lessor. Debtor shall provide the name and address of the Lessor obtaining the pre-petition eviction judgment on the petition and on any certification under this law. Certification must include:
 - a. Whether a judgment for possession has been obtained before the petition filing date;
 - b. Whether circumstances exist under which the debtor would be permitted to cure the entire monetary default giving rise to the eviction judgment; and,
 - c. Whether Debtor has made the appropriate deposit with the Court Clerk
7. Rent provisions do not apply to small business and involuntary cases involving any collusion debtor cases.
8. Are not effected by the assumption of a lease by the debtor with the assent of the creditor.

REQUIREMENTS FOR ALL PETITIONS

1. All petitions, lists, schedules, statements and other pleadings should comply substantially with the Official Forms prescribed by the Federal Rules of Bankruptcy Procedure. All questions on the Official Forms must be answered.
- 2. Only an individual and that individual's spouse may file a joint petition. Individuals must submit an Official Form B21 (Social Security Number Verification) at the time of filing a petition. [Rule 1007]
3. Debtor(s) complete street address, city, state and zip code. Debtor(s) mailing address, if different from the street address.
4. Corporations and individuals must file separate petitions. Corporations and individuals CANNOT file on the same petition.
5. Corporations filing bankruptcy must be represented by counsel.
6. All signature blocks and execution dates must be completed. Counsel for debtor(s) must identify their bar roll number in the signature block.
7. All creditors' addresses must be complete with street, city, state and zip code and must comply with all other requirements concerning the mailing matrix. The mailing matrix must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing). See Appendix for guidelines.
8. Petitions filed pro se (without an attorney) must also include the debtor(s) telephone number. The filing fee must be paid by cash, money order, cashiers' check. No personal checks from debtor(s) will be accepted.
9. All money orders or cashiers' checks should be made payable to the United States Bankruptcy Court.

VOLUNTARY CHAPTER 7 CASE

REQUIRED LISTS, SCHEDULES, STATEMENTS AND FEES

FILING FEES \$ 299.00

(Filing Fee of \$245, Administrative fee of \$39 and trustee surcharge of \$15). If the fee is to be paid in installments or the debtor requests a waiver of the fee, the debtor must be an individual and must file a signed application for court approval. **Official Form 3A or 3B** and Rule 1006(b) & (c), Fed.R.Bankr.P. Administrative fee and trustee surcharge, if the debtor is an individual and the court grants the debtor's request, are payable in installments or may be waived

COPIES REQUIRED: Original and three copies for court use

NOTE: PLEASE ASSEMBLE THE ORIGINAL PETITION AND THE REQUIRED COPIES IN THE FOLLOWING ORDER. DO NOT STAPLE THE ORIGINAL

REQUIREMENT	WHEN REQUIRED TO BE FILED	FORM
Statement of Social Security Number (ORIGINAL ONLY)	Must be received WITH the petition. Required if the debtor is an individual. Rule 1007(f), Fed.R.Bankr.P.	Official Form B21
Voluntary Petition	Required at filing	Official Form 1
Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b)	Must be filed with the petition or within 15 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).	Official Form B201
Statement disclosing compensation paid or to be paid to the attorney for the debtor.	Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.	Official Form B203
Notice to debtor by “bankruptcy petition preparer”	Must be filed WITH the petition if prepared by a “bankruptcy petition preparer.” 11 U.S.C. § 110(b)(2)(B);	Official Form B19B.
Statement disclosing compensation paid or to be paid to a “bankruptcy petition preparer”	Must be filed WITH the petition if the “bankruptcy petition preparer” prepares the petition. 11 U.S.C. §110(h)	Official Form B280
Summary of Schedules (includes Statistical Summary of Certain Liabilities)	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Schedules of Assets and Liabilities (Schedules A - H).	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6

Lists, schedules, statements and fees to be provided after filing the petition

1. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 case and at the same time as filing with taxing authority, a copy of each Federal income tax return or transcript of such return required under applicable law.
2. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 case and at the same time as filing with taxing authority, copies of amendments of tax returns.
3. In chapter 13 cases, a sworn statement of the income and expenditures of the debtor during the tax year most recently concluded and the monthly income of the debtor showing how income, expenditures, and monthly income are calculated must be filed within 90 days of the end of the tax year and annually thereafter until the case is closed, not later than 45 days before the anniversary of the confirmation of the plan. The statement shall include the amount and sources of the income, the identity of any person responsible with the debtor for the support of any dependent of the debtor, and the identity of any person who contributed, and the amount contributed to the household in which the debtor resides.
4. Upon request of the trustee, documentation establishing the identity of the debtor with photograph and such other personally identifying information relating to the debtor and establishing the identity of the debtor.
5. A certification that an individual debtor in a chapter 7 or 13 proceeding completed an instructional course on personal financial management (with exceptions) (**Official Form 23**).

A completion of a Financial Management Course, as approved by the U. S. Trustee, must be completed during the pendency of the bankruptcy. A Debtor's Education Certification must be filed prior to discharge. The Debtor and Joint Debtor, if any, must each file the declaration. The Bankruptcy Court Clerk will maintain a list of approved Financial Management Courses available in the Western District of Oklahoma, as approved by the United States Trustee, on the Courts web site at www.okwb.uscourts.gov and at 215 Dean A. McGee Ave, Oklahoma City, Oklahoma. This list may also be obtained at The United States Trustee website at www.ust.uscourts.gov.

VOLUNTARY CHAPTER 11 CASE

REQUIRED LISTS, SCHEDULES, STATEMENTS AND FEES

FILING FEES \$1,039.00

(Filing Fee of \$1,000, Administrative fee of \$39). If the fee is to be paid in installments, the debtor must be an individual and must file a signed application for court approval. **Official Form 3A** and Rule 1006(b), Fed.R.Bankr.P. Administrative fee, if the debtor is an individual and the court grants the debtor's request, is payable in installments.)

COPIES REQUIRED: Original and 5 copies for court use

NOTE: PLEASE ASSEMBLE THE ORIGINAL PETITION AND REQUIRED COPIES IN THE FOLLOWING ORDER. DO NOT STAPLE THE ORIGINAL DOCUMENTS

REQUIREMENT	WHEN REQUIRED TO BE FILED	FORM
Statement of Social Security Number (ORIGINAL ONLY)	Must be received WITH the petition. Required if the debtor is an individual. Rule 1007(f), Fed.R.Bankr.P.	Official Form B21
Voluntary Petition	Required at filing	Official Form 1
List of Creditors holding the 20 largest unsecured claims	Must be filed WITH the petition. Rule 1007(d), Fed.R.Bankr.P.	Official Form B4
Names and addresses of equity security holders of the debtor.	Must be filed with the petition or within 15 days, unless the court orders otherwise. Rule 1007(a)(3), Fed.R.Bankr.P.	Provided by Debtor
Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b)	Must be filed with the petition or within 15 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).	Official Form B201
Statement disclosing compensation paid or to be paid to the attorney for the debtor.	Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.	Official Form B203
Summary of Schedules (includes Statistical Summary of Certain Liabilities)	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Schedules of Assets and Liabilities (Schedules A - H).	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6

Schedules of Current Income and Expenditures. (Schedules I and J)	All debtors must file these schedules. If the debtor is an individual, must be used for this purpose. Must be filed with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Copies of all payment advices or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition.	Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Copy from Debtor(s)
Declaration Concerning Debtor's Schedules	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Statement of Financial Affairs and Declaration	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 7
Names and addresses of all creditors of the debtor. (Mailing Matrix) and Verification of Mailing Matrix (signed by the debtor(s))	Must be filed WITH the petition. The form of names and addresses for the list shall be stated in a general order (G.O 12-03-96; Fed.R.Bankr.P 1007(a)). Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing) and on paper.	Provided by Debtor Local Form
Certificate of Credit Counseling and Debt Repayment Plan. (Or § 109(h)(3) Certification or § 109(h)(4) Request)	Must be filed WITH the petition. Required from Debtor and Co-Debtor. Required if the debtor is an individual. Rule 1007(b) & (c), Fed.R.Bankr.P.	Copy of certificate from debtor(s)
Statement of Current Monthly Income. (Means Test)	Required if the debtor is an individual with primarily consumer debts. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 22A

Notice: Under 28 U.S.C. § 1930(a) the debtor, or trustee if one is appointed, is required also to pay a fee to the United States trustee at the conclusion of each calendar quarter until the case is dismissed or converted to another chapter. The amount to be paid is:

\$ 250 if disbursements total less than \$15,000	\$3750 if disbursements total between \$300,000 and \$1,000,000
\$ 500 if disbursements total between \$15,000 and \$75,000	\$5000 if disbursements total between \$1,000,000 and \$2,000,000
\$ 750 if disbursements total between \$75,000 and \$150,000	\$7500 if disbursements total between \$2,000,000 and \$3,000,000
\$1250 if disbursements total between \$150,000 and \$225,000	\$8000 if disbursements total between \$3,000,000 and \$5,000,000

\$1500 if disbursements total between \$225,000 and \$300,000	\$10,000 if disbursements total more than \$5,000,000
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CHAPTER 12 CASE

REQUIRED LISTS, SCHEDULES, STATEMENTS AND FEES

Filing Fees of \$239.00

(Filing Fee of \$200, Administrative fee of \$39.) If the fee is to be paid in installments, the debtor must be an individual and must file a signed application for court approval. **Official Form 3A** and Rule 1006(b), Fed.R.Bankr.P. Administrative fee, if the debtor is an individual and the court grants the debtor's request, this fee is payable in installments.

COPIES REQUIRED: Original and 5 copies for court use

NOTE: PLEASE ASSEMBLE THE ORIGINAL PETITION AND THE REQUIRED COPIES IN THE FOLLOWING ORDER. DO NOT STAPLE THE ORIGINAL

REQUIREMENT	WHEN REQUIRED TO BE FILED	FORM
Statement of Social Security Number (ORIGINAL ONLY)	Must be received WITH the petition. Required if the debtor is an individual. Rule 1007(f), Fed.R.Bankr.P.	Official Form B21
Voluntary Petition	Required at filing	Official Form 1
Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b)	Must be filed with the petition or within 15 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).	Official Form B201
Statement disclosing compensation paid or to be paid to the attorney for the debtor.	Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.	Official Form B203
Notice to debtor by “bankruptcy petition preparer”	Must be filed WITH the petition if prepared by a “bankruptcy petition preparer.” 11 U.S.C. § 110(b)(2)(B);	Official Form B19B.
Statement disclosing compensation paid or to be paid to a “bankruptcy petition preparer”	Must be filed WITH the petition if the “bankruptcy petition preparer” prepares the petition. 11 U.S.C. § 110(h)	Official Form B280
Summary of Schedules (includes Statistical Summary of Certain Liabilities)	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Schedules of Assets and Liabilities (Schedules A - H).	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6

Schedules of Current Income and Expenditures. (Schedules I and J)	All debtors must file these schedules. If the debtor is an individual, must be used for this purpose. Must be filed with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Copies of all payment advices or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition.	Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Copy from Debtor(s)
Declaration Concerning Debtor's Schedules	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Statement of Financial Affairs and Declaration	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 7
Names and addresses of all creditors of the debtor. (Mailing Matrix) Verification of Mailing Matrix (signed by the debtor(s))	Must be filed WITH the petition. The form of names and addresses for the list shall be stated in a general order (G.O 12-03-96; Fed.R.Bankr.P 1007(a)). Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing) and on paper.	Provided by Debtor Local Form
Certificate of Credit Counseling and Debt Repayment Plan. (Or § 109(h)(3) Certification (Or § 109(h)(4) Request)	Must be filed WITH the petition. Required from Debtor and Co-Debtor. Required if the debtor is an individual. Rule 1007(b) & (c), Fed.R.Bankr.P.	Copy of certificate from debtor(s)
Chapter 12 Plan	Must be filed within 90 days, 11 U.S.C. § 1221	Provided by Debtor

CHAPTER 13 CASE

REQUIRED LISTS, SCHEDULES, STATEMENTS AND FEES

FILING FEE OF \$ 274.00

Filing Fee of \$220, Administrative fee of \$39. (If the fee is to be paid in installments, the debtor must be an individual and must file a signed application for court approval. Official Form 3A and Rule 1006(b) , Fed.R.Bankr.P. Administrative fees, if the debtor is an individual and the court grants the debtor's request, are payable in installments.)

COPIES REQUIRED: Original and 5 copies for court use

NOTE: PLEASE ASSEMBLE THE ORIGINAL PETITION AND THE REQUIRED COPIES IN THE FOLLOWING ORDER. DO NOT STAPLE THE ORIGINAL

REQUIREMENT	WHEN REQUIRED TO BE FILED	FORM
Statement of Social Security Number (ORIGINAL ONLY)	Must be received WITH the petition. Required if the debtor is an individual. Rule 1007(f), Fed.R.Bankr.P.	Official Form B21
Voluntary Petition	Required at filing	Official Form 1
Notice to Individual Debtor with Primarily Consumer Debts	Must be filed with the petition or within 15 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).	Official Form B201
Statement disclosing compensation paid or to be paid to the attorney for the debtor.	Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.	Official Form B203
Notice to debtor by “bankruptcy petition preparer”	Must be filed WITH the petition if prepared by a “bankruptcy petition preparer.” 11 U.S.C. § 110(b)(2)(B);	Official Form B19B.
Statement disclosing compensation paid or to be paid to a “bankruptcy petition preparer”	Must be filed WITH the petition if the “bankruptcy petition preparer” prepares the petition. 11 U.S.C. §110(h)	Official Form B280
Summary of Schedules (includes Statistical Summary of Certain Liabilities)	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6

Schedules of Assets and Liabilities (Schedules A - H).	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Schedules of Current Income and Expenditures. (Schedules I and J)	All debtors must file these schedules. If the debtor is an individual, must be used for this purpose. Must be filed with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Copies of all payment advices or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition.	Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Copy from Debtor(s)
Declaration Concerning Debtor's Schedules	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 6
Statement of Financial Affairs and Declaration	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 7
Names and addresses of all creditors of the debtor. (Mailing Matrix) and Verification of Mailing Matrix (signed by the debtor(s))	Must be filed WITH the petition. The form of names and addresses for the list shall be stated in a general order (G.O 12-03-96; Fed.R.Bankr.P 1007(a)). Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing) and on paper.	Provided by Debtor Local Form
Certificate of Credit Counseling and Debt Repayment Plan. Or § 109(h)(3) Certification Or § 109(h)(4) Request	Must be filed WITH the petition. Required from Debtor and Co-Debtor. Required if the debtor is an individual. Rule 1007(b) & (c), Fed.R.Bankr.P.	Copy of certificate from debtor(s)
Statement of Current Monthly Income. (Means Test)	Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.	Official Form 22C
Chapter 13 Plan.	Must be filed with the petition or within 15 days. Rule 3015, Fed.R.Bankr.P.	Provided by Debtor

Lists, schedules, statements and fees to be provided after filing the petition

1. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 case and at the same time as filing with taxing authority, a copy of each Federal income tax return or transcript of such return required under applicable law.
2. Upon request of the trustee or a party in interest in an individual (not business) chapter 7 or 13 case and at the same time as filing with taxing authority, copies of amendments of tax returns.
3. In chapter 13 cases, a sworn statement of the income and expenditures of the debtor during the tax year most recently concluded and the monthly income of the debtor showing how income, expenditures, and monthly income are calculated must be filed within 90 days of the end of the tax year and annually thereafter until the case is closed, not later than 45 days before the anniversary of the confirmation of the plan. The statement shall include the amount and sources of the income, the identity of any person responsible with the debtor for the support of any dependent of the debtor, and the identity of any person who contributed, and the amount contributed to the household in which the debtor resides.
4. Upon request of the trustee, documentation establishing the identity of the debtor with photograph and such other personally identifying information relating to the debtor and establishing the identity of the debtor.
5. A certification that an individual debtor in a chapter 7 or 13 proceeding completed an instructional course on personal financial management (with exceptions) (Official Form 23).
A completion of a Financial Management Course, as approved by the U. S. Trustee, must be completed during the pendency of the bankruptcy. A Debtor's Education Certification must be filed prior to discharge. The Debtor and Joint Debtor, if any, must each file the declaration. The Bankruptcy Court Clerk will maintain a list of approved Financial Management Courses available in the Western District of Oklahoma, as approved by the United States Trustee, on the Courts web site at www.okwb.uscourts.gov and at 215 Dean A. McGee Ave, Oklahoma City, Oklahoma. This list may also be obtained at The United States Trustee website at www.ust.uscourts.gov.

CHAPTER 13 DISCHARGE DOES NOT DISCHARGE

-
1. Domestic support obligations (which must be currently owed are paid);
 2. Restitution or damages in a civil action against the debtor as a result of willful or malicious injury by the debtor that caused personal injury or death to an individual;
 3. If the debtor received a discharge in a case filed under chapter 7, 11, or 12 during a 4 year period preceding the date of the order for relief under chapter 13;
 4. If the debtor received a discharge in a case filed under chapter 13 during a 2 year period preceding the date of such order;
 5. If the debtor has not completed an instructional course concerning personal financial management unless courses are not available in the debtor's district;
 6. Unless the Court, after notice and a hearing held not more than 10 days before the date of the entry of the discharge order finds that no proceeding is pending against the debtor wherein the debtor will be found guilty of a felony or liable for a debt.

CHAPTER 13 PLANS MAY BE MODIFIED TO:

-
1. Increase or reduce the amount of payment of a class of claims
 2. Extend or reduce the time for payments;
 3. Alter the amount of distribution to a creditor;
 4. Reduce amounts to be paid by the actual amount expended by the debtor to purchase health insurance for the debtor or a dependent and files proof of payment.

CHAPTER 13 GUIDELINES

1. See **Chapter 13 Guidelines** on the Bankruptcy Courts Website
www.okwb.uscourts.gov

AMENDMENTS TO PETITION AND SCHEDULES

NOTE: ONLY THE CREDITOR(S) BEING ADDED OR CHANGED ARE TO APPEAR ON THE AMENDED SCHEDULE(S) and/or OTHER AMENDED DOCUMENTS.

Requirements:

A. Caption Sheet.

- 1.. The first page of the debtor's schedules and the first page of any amendments thereto must contain a caption as in (Official Form 16B). **Subsequent pages should be identified with the debtor's name and case number.** If the schedules are filed with the petition the case number should be left blank.
2. The caption sheet must have original signature(s).

B. Amendments of Schedules.

1. Amendments of amounts must be totaled on the amended schedule **and** on the Summary of Schedules.
2. **Declaration Concerning Debtor's Schedules.**
 - a. All amendments must be signed and verified by the debtor(s) in the same manner as required on the original Official Form 6 Declaration Page.

C. Additional Filing Fee

1. The clerk must collect a fee for:
 - a. Each amendment to a debtor's schedule D, E, or F.
 - b. List of creditors (Mailing Matrix). **Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing)**
2. The Fee is Assessed Per Filing: If an amendment contains more than one change to the list of creditors, the clerk may charge only one fee.
3. The clerk must charge a fee to add creditors, delete creditors, change the amount of a debt, or change a classification of a debt.
4. **No fee is required when the nature of the amendment is to correct the address of a creditor or add the name and address of an attorney for a listed creditor.**

D. Amendment to the Mailing Matrix or List of Creditors.

1. If an amendment contains additional creditors, the debtor must submit an amended mailing matrix. **Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing).** See Appendix for guidelines.
2. **Only the creditors being added are to be listed.**
3. Addresses for the debtor and the attorney for the debtor ARE NOT TO BE LISTED as of May 1, 1992.
4. Follow the current mailing matrix requirements -
 - a. Font should be Arial 12 point to 14 point

- b. **Must be on a disk or CD and in a format that can be processed the same as matrix's being filed by ECF (Electronic Case Filing.)**

E. **Pursuant to Bankruptcy Rule 1009, the debtor(s) must serve notice of any amendment on the trustee and on any entity affected, and file a certificate of service.**

F. **COPY REQUIREMENTS FOR AMENDMENTS**

Chapter 7 requires Original and 3 copies for the Court.

Chapter 11 requires Original and 6 copies for the Court.

Chapter 12 requires Original and 6 copies for the Court.

Chapter 13 requires Original and 5 copies for the Court.

G. If the filer requires a file stamped copy to be returned, please add one copy (or more if preferred) to the list above, along with a Self-Addressed Stamped Envelope of sufficient size for the copies requested.

H. See the attached documents for an example of the preparation of an amendment.

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In Re: John Q. Public
Debtor(s)

Case No. XX-XXXXX-XX

AMENDMENT TO SCHEDULES A & D and the MAILING MATRIX

Schedule A -- Amended to include real property and legal description

Schedule D -- Amended to include new creditors

Amended Mailing Matrix -- Adding new creditors

EXAMPLE

Debtor or Attorney Signature
(405) 555-1111

UNSWORN DECLARATION UNDER PENALTY OF PERJURY OF INDIVIDUAL

I, John Q. Public, debtor, certify under the penalty of perjury that I have read the foregoing amended Schedule A (Real Property), Schedule D (Secured Creditors), and amended mailing matrix and find them true and correct to the best of my knowledge, information, and belief.

Executed on Current Date.

Debtor

Co-Debtor

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In Re: John Q. Public

Case No. XX-XXXXX-XX

CERTIFICATE OF SERVICE

I, (Debtor or Attorney), certify that on the ____ day of _____, 2003, a true and exact copy of the amendment was mailed to:

LIST ALL PARTIES AND THEIR ADDRESSES THAT ARE REQUIRED TO BE NOTICED.

EXAMPLE

Debtor or Attorney Signature
(405) 555-1212

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In Re: John Q. Public

Case No. XX-XXXXX-XX

VERIFICATION OF THE AMENDED MATRIX

The above named debtor(s) hereby verify that the list of creditors is true and correct to the best of our knowledge.

Date: Current Date

EXAMPLE

Debtor

Joint Debtor, if applicable

NOTE: The Matrix must be on disk and paper. See Appendix for procedures.

XYZ BANK
PO BOX 12345
OKLAHOMA CITY OK 73102

RESURRECTION MEMORIAL CEMETERY
1234 MAIN STREET
OKLAHOMA CITY OK 73160

EXAMPLE

APPENDIX

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA
COURT CLERK'S OFFICE

FILING FEES

Chapter 7	\$299.00
Chapter 9	\$1,039.00
Chapter 11	\$1,039.00
Chapter 12	\$239.00
Chapter 13	\$274.00
Chapter 15 (Ancillary Proceeding)	\$1,039.00
Abandonment	\$ 150.00
Adversary Complaint	\$ 250.00
Amendment to Schedules D, E, F, or mailing lists of creditors	\$ 26.00
Appeal -	\$ 255.00
Includes \$250.00 docketing fee and a \$5.00 Notice fee	
Cross-appeal -	\$ 255.00
Includes \$250.00 docketing fee and a \$5.00 Notice fee	
Relief from stay	\$150.00
Withdrawal of reference	\$150.00

MISCELLANEOUS FEE SCHEDULE

Filing or indexing any paper not in a case or proceeding for which a case filing fee has been paid, including registering a judgment from another district	\$ 39.00
Application and Order to Appear Pro Hac Vice (Fee must be paid in District Court and a copy of the Receipt must be filed with the application and Order in the Bankruptcy Court) .	\$ 50.00
Certificate of search (per name or per item)	\$ 26.00
Certification of any document	\$ 9.00
Exemplification of any document(s)	\$ 18.00
Reproducing any record or paper / copies (per page)50¢
Retrieval of record from Federal Records Center (Ft. Worth, TX)	\$ 45.00
Returned check for insufficient funds	\$ 45.00

DECONSOLIDATION

Deconsolidation of joint petition / division of one case into two. Fee equal to petition fee less \$39.00 administrative fee.

Chapter 7	\$ 220.00
Chapter 9	\$1,000.00

Chapter 11	\$1,000.00
Chapter 12	\$ 200.00
Chapter 13	\$ 150.00

CONVERSION AND REOPENING FEE SCHEDULE

Conversion of Chapter 7 to Chapter 11 at the request of debtor(s)	\$ 755.00
Conversion of Chapter 13 to Chapter 11 at the request of debtor(s)	\$ 765.00
Conversion of Chapters 9, 11, 12 or 13 to Chapter 7 due upon filing of the Motion to Convert or Notice of Conversion	\$ 15.00

Reopening of a case due upon filing a motion to reopen, unless to correct an administrative error of the Court or to file adversary proceeding relating to the dischargeability of a debt. Fee equal to petition fee.

Chapter 7	\$220.00
Chapter 11	\$1,000.00
Chapter 12	\$200.00
Chapter 13	\$150.00

DOCUMENT REQUIREMENTS FOR MISCELLANEOUS PLEADINGS

Affidavit	Original only
Affidavit of Default Judgement	Original and 1 copy for court use
Answers	Original and 1 copy for court use
Appeal	Original and 3 copies for court use
Applications	Original and 1 copy for court use
Claims	Original and 1 copy for court use
Cross-appeal	Original and 3 copies for court use
Default Judgement/Order of Default	Original only
Designation of record on appeal	Original and 3 copies for court use
Discovery materials are not filed with the court unless	
Entry / Notice of Appearance	Original and 1 copy for court use
Motion for Default Judgement	Original and 1 copy for court use
Motions	Original and 1 copy for court use
Notice of Objection with certificate of service	Original and 1 copy for court use
Notice of appeal with certificate of service	Original and 3 copies for court use
Notice of appeal	Original and 3 copies for court use
Notices	Original and 1 copy for court use
Objections	Original and 1 copy for court use
ordered by the court.	Original and 1 copy for court use
Orders	Original only
Reaffirmation agreements	Original and 1 copy for court use

COPIES TO BE RETURNED TO FILERS MUST BE RECEIVED AT THE TIME OF FILING IN ADDITION TO THE REQUIRED NUMBER FOR COURT USE AND MUST BE ACCOMPANIED BY A POSTAGE PRE-PAID, SELF-ADDRESSED ENVELOPE OF SUFFICIENT SIZE FOR THE NUMBER OF COPIES REQUESTED. ALL COPY REQUIREMENT ARE THE COURT'S MINIMUM FOR FILING; INCLUDE YOUR EXTRA COPIES.

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA
GUIDELINES FOR PREPARATION OF A MAILING MATRIX
EFFECTIVE JANUARY 10, 2006**

FILING MATRIX ON DISK

The debtor shall prepare and submit to the Court a mailing matrix on computer disk (floppy or compact) which complies with the computerized noticing guidelines that follow. The accuracy and completeness of this creditor listing shall be the total responsibility of the debtor and the debtor's attorney. The Court and parties in interest shall rely upon it for all mailings. The disk label should list the case name, attorney's name and include the description of the disk contents as 'Mailing Matrix'. The case number should also be included on the disk label if a number has already been assigned.

These Guidelines supplement Local Rule 1007.

SECURITY PRECAUTIONS

The debtor, the debtor's attorney, and/or the bankruptcy petition preparer shall take every precaution to ensure that no viruses or other computer infections are included on the disk. If viruses are found on the disk, the Court Clerk will inform the judges of the submission.

WAIVER OF CREDITOR MATRIX DISK REQUIREMENT

If financial constraints and/or the inability to access the equipment necessary to produce a computer disk would cause an undue hardship on the debtor's attorney or bankruptcy petition preparer assisting the debtor, the debtor, the debtor's attorney, or the debtor's bankruptcy petition preparer may submit a written request to file a paper matrix that complies with these guidelines and can be scanned..

Debtors not represented by an attorney or assisted by a bankruptcy petition preparer may file a matrix on disk or a paper matrix in substantial compliance with these guidelines.

ADDRESSES FOR FEDERAL AND STATE AGENCIES

Certain federal and state agencies specify particular addresses to which notice of bankruptcy proceedings should be directed. Use of those addresses is mandatory. The Clerk maintains a roster of State and Federal Agencies at the court's Website at: <http://www.okwb.uscourts.gov>. When listing indebtedness to a federal or state agency not included on the roster, the debtor and the debtor's attorney shall use such address as will affect proper notice to the agency.

COMPUTER DISK

The debtor shall provide the Court with a computer-generated disk containing the names and addresses of all creditors and equity security holders. The disk shall be labeled with the debtor's last name, case number and the name of the lead attorney assigned to the case and shall be submitted in an envelope marked with the debtor's last name, case number and the name of the lead attorney assigned to the case.

The computer disk shall contain the name and complete mailing address of each entity listed as a creditor, equity security holder, Codebtors, or executory contract holder by the debtor.

DO NOT include the following entities since they will be retrieved automatically by the computer for noticing:

Debtor

Joint Debtor (This is a spouse who files a joint case with the debtor at one case number.)

Attorney for the Debtor

Trustee

Attorney for the Trustee

United States Trustee

DISK SPECIFICATIONS

- (1) A disk shall be formatted for use on an IBM or compatible PC.
- (2) Only one text (.txt) file shall be included on a disk.
- (3) Only one case may be included on the disk.
- (4) Text files can be created by saving the documents as follows:
 - For WordPerfect versions 6 through 8, save the document as ASCII DOS text
 - For Microsoft Word, save the document as MS-DOS or Plain Text
 - For WordPad, save the document as Text Document-MS-DOS or Text Document Format
 - For Notepad, save the document as Text Documents
- (5) The file must be named with the debtor's last name (i.e.; johnson.txt, smith.txt, etc.) and may be shortened if necessary.
- (6) The left margin must be justified.
- (7) Top, bottom, left, and right margins must be 1 inch.
- (8) The matrix shall be prepared using one of the following fonts in 10- or 12-point size: Courtier, Courier New, CG Times, or Times New Roman.
- (9) The information must be five (5) lines or less per creditor.
- (10) Each line may contain no more than 40 characters. No leading spaces are permitted.
- (11) Each creditor must be separated by at least one blank line. A street address or post office box number must be specified on the line above the city, state and zip code. States should be identified by using the two letter abbreviation. The United States Post Office's scanning equipment may not recognize a building name as an address.
- (12) The ZIP code must appear on the last line of the address. Nine-digit ZIP codes should be typed with a hyphen separating the two groups of digits. The 'Attention' line must be placed above the name/address line. The ZIP code must be at the end of the same line as the city and state in order for the U.S. Postal ZIP code sorting equipment to find it.
- (13) Be sure to type the number "1" (one) rather than the lower case letter "l" (L) when using numbers.

EXAMPLES

(DO NOT NUMBER THE LINES. THE LINES ARE NUMBERED HERE AS AN EXAMPLE.)

Line 1: Maria Careless

Line 2: 25 North Aria Blvd.

Line 3: Grecian, NY 80062

Line 4:

Line 5: Charles Smith

Line 6: 3 Winston Street

Line 7: Balmoral, MD 12960

Line 8:

Line 9: Last Bank of San Diego.

Line 10: Attn: Collections Dept

Line 11: 12345 E. Main St.

Line 12: San Diego, CA 92101-1010

Line 13:

Line 14: Kent Clerk

Line 15: 5414 U.S. Steel Tower

Line 16: 600 Grant Street

Line 17: Pittsburgh, PA 15219

The Debtor, or such other person as the Court may order, is responsible to ensure that the mailing matrix is complete and correct.

The inclusions of matrix information as described hereafter may result in a matrix being improperly read by the optical scanner. If this occurs, the debtor will be required to resubmit the matrix in an acceptable format.

Avoid the following:

1. • Extra marks on matrix such as a letterhead, dates, and the debtor's name except in the disk label.
2. • Misaligned margins.
3. • Upper case letters. Use upper and lower case letters as you would in a brief.
4. • A ZIP code placed anywhere other than on the last line. The ZIP code must be the last entry on the last line. Nine-digit ZIP codes should be typed with a hyphen separating the two groups of digits. The ZIP code must be at the end of the same line as the city and state in order for the U.S. Postal ZIP code sorting equipment to find it.
5. • 'Attention' entered on the wrong line. Do NOT type 'attention' lines or account numbers on the last line. If needed, this information must be placed between the name line and the address line. Account numbers may not exceed 15 characters.
6. • Use of the letter 'l' rather than the number '1'. Be sure to type the number "1" (one) rather than the lower case letter "l" (L) when using numeric.

CHECK LIST FOR CREDITOR MATRIX DISK

If using a third party software package (i.e.; Best Case Solutions, Specialty, E-Z Filing for Windows, Top Form), check with your provider on the best method for creation of the disk.

In most software packages, the save or save as screen will indicate the format of the document (i.e.; Word 5.0 format, WordPerfect 5.1). This box usually appears directly below the name of the file.

The format for all disks must be one of the following formats (depending upon your software): ASCII DOS Text, Plain DOS Text, and Text Only. These are the only formats which will be accepted. WordPerfect or Word formats will not be accepted. After selecting the correct format, save the file.

SAMPLE OF CORRECTLY PREPARED CREDITOR LIST MATRIX

R. U. Alldere, Esq.
2 Rushin Court
San Diego, CA 92189

Maria Careless
25 North Aria Blvd.
Grecian, NY 80062

Clerk, U.S. Bankruptcy Court
5414 US Steel Tower
600 Grant Street
Pittsburgh, PA 15219

First City National Bank of Beaumont
P.O. Box 3391
Beaumont, TX 77704

General Nuisance Elimination
P.O. Box 1230
Baltimore, MD 20984

Kelley Appliances
Attn: Parts Division
462 9th Avenue, North
Seattle, WA 98109

ERRORS TO AVOID IN PREPARING CREDITOR LISTS

Errors	Examples of the Errors	More Errors
PAGE TITLES Do not type a title or other identification in lists.	Debtor: Allnet Svcs. Stephen R. Miller III, Debtor Coal Building 1092 17th Street, NW Carlsbad, CA 92001	TOO LONG A name/address block must be 3 to 5 lines with no more than 40 characters on each line.
ALL UPPER CASE Use upper and lower case (capitals and small letters) as if you were typing a letter.	MULTI-TRONICS ANIMATIONS 3837 STRONG WAY NORTH SUITE 10 BALTIMORE, MD 20938	ATTENTION LINE If an attention line is needed, put it on the second line of the address, not at the end or as the first line.
BOLD TYPE Do not use boldface or italics.	Arctic Expeditions Incorporated 536 East 48th Ave. Anchorage, AK 99505 Gow Fire Protection, Inc. 459 North 98th Street Hoquiam, WA 98550 ATTN: Steve Jamison	DIGIT ZIP CODE Separate the two groups of digits with a dash, not a space.
PAGE NUMBER Do not number pages or type anything but creditors on list.		STRAY MARKS No lines, symbols, letterhead, or other non-address data should appear on creditor list.



Form 16A. CAPTION (FULL)

United States Bankruptcy Court
Western District Of Oklahoma

In re _____,)
[Set forth here all names including married,)
maiden, and trade names used by debtor within)
last 8 years.])
Debtor) Case No. _____
)
)
Address _____)
)
_____) Chapter _____
)
Last four digits of Social Security No(s).: _____)
_____)
Employer's Tax Identification No(s). *[if any]:* _____)

_____)

[Designation of Character of Paper]

FORM 16B. CAPTION (SHORT TITLE)

(May be used if 11 U.S.C. § 342(c) is not applicable)

United States Bankruptcy Court
Western District Of Oklahoma

In re _____, Case No. _____
Debtor Chapter _____

[Designation of Character of Paper]

United States Bankruptcy Court
Western District Of Oklahoma

In re _____,) Case No. _____
Debtor)
) Chapter _____
)
)
)
 _____)
Plaintiff)
)
)
 _____,) Adv. Proc. No. _____
Defendant

COMPLAINT [*or* other Designation]

[If in a Notice of Appeal (see Form 17) or other notice filed and served by a debtor, this caption must be altered to include the debtor's address and Employer's Tax Identification Number(s) or last four digits of Social Security Number(s) as in Form 16A.]